



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 23-035

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

2. Form, Style and Placement in Administrative Code

Pursuant to SECTION 48 of Clearinghouse Rule 19-074, subchapter III of ch. Trans 309 is repealed effective July 15, 2023. As indicated in the proposed rule, this repeal is also specified in s. Trans 309.25. However, given the effect of this repeal under Clearinghouse Rule 19-074 and s. Trans 309.25, and its timing relative to Clearinghouse Rule 23-035 (this proposed rule), amendment of s. Trans 309.25 alone is insufficient to maintain subchapter III of ch. Trans 309 in the administrative code. In other words, by the time Clearinghouse Rule 23-035 may take effect following legislative review, subchapter III of ch. Trans 309 will no longer exist. As such, in order to achieve its intended effect, the agency should again create the text of subchapter III, as it existed through July 14, 2023, in this proposed rule, along with the amended text of s. Trans 309.25.